



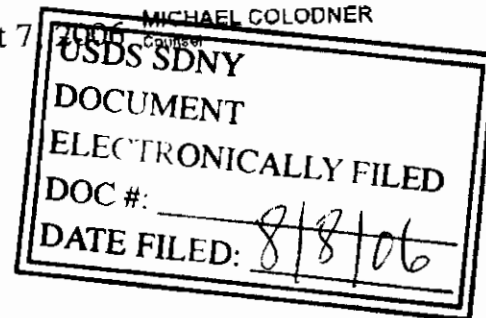
STATE OF NEW YORK
UNIFIED COURT SYSTEM
EMPIRE STATE PLAZA
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ALBANY, NEW YORK 12223-1450
(518) 474-7469

HAROLD BAER
U.S. DISTRICT JUDGE
S. D. N.Y.

JONATHAN LIPPMAN
Chief Administrative Judge

August 7, 2006

MICHAEL COLODNER



Hon. Harold Baer, Jr.
United States District Court
Southern District of New York
United States Courthouse

Via Fax (212) 805-7901

Re: *O'Leary v. NY State Unified Court System*
05 Civ. 6722 (HB) (DCF)

Dear Judge Baer:

I write on behalf of defendant to request permission to file a memorandum of law in excess of Your Honor's 25-page limit. The memo is being submitted in support of defendant's summary judgment motion.

As presently constituted, the memo is approximately 40 pages, much of which is devoted to a careful factual dissection of plaintiff's claim that she was unlawfully discriminated against when defendant failed to interview her for, or promote her to, various positions for which she applied. While the legal arguments are relatively straightforward, a significant portion of the memo requires a detailed factual consideration of the positions involved as well as a comparison of plaintiff's qualifications with those of the numerous candidates who were granted interviews and ultimately hired. I believe that, in this case, properly doing justice to the supporting factual argument requires these additional pages, which endeavor to marshal the relevant factual evidence as economically as possible. In addition, I believe that it would make the Court's task of assessing that argument far easier than if reference were simply made to supporting exhibits without appropriate contextual explanation.

Denied

SO ORDERED:

Very truly yours,

John J. Sullivan
Assistant Deputy Counsel
Attorney for Defendant

cc: Steven M. Coren, Esq. (via fax)

Harold Baer, Jr. U.S.D.J.

Date: 8/6/06

Endorsement:

Denied.